

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
HUNTINGTON DIVISION**

**GENBIOPRO, INC.,**

*Plaintiff,*

**v.**

**Civil Action No. 3:23-cv-00058**

**MARK A. SORSAIA, in his official  
capacity, AND PATRICK MORRISEY, in  
his official capacity,**

**Hon. Robert C. Chambers**

*Defendants.*

**DEFENDANTS' MOTION FOR STAY**

Defendants, Mark A. Sorsaia, in his official capacity as Prosecuting Attorney for Putnam County, and Patrick Morrissey, in his official capacity as Attorney General of the State of West Virginia, move for a stay of this case pending the outcome of *Alliance for Hippocratic Medicine v. U.S. Food & Drug Administration*, No. 2:22-cv-00223 (N.D. Tex.). As explained in Defendants' memorandum in support of this motion, the outcome of that case may well render this lawsuit moot. Thus, in the interest of judicial economy, Defendants respectfully request that the Court stay this case until a final decision is reached in *Alliance for Hippocratic Medicine v. Food & Drug Administration*.

Respectfully submitted,

PATRICK MORRISEY  
*West Virginia Attorney General*

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official capacity as Attorney General of the State  
of West Virginia*

MARK SORSAIA

*Putnam County Prosecuting Attorney*

/s/ Jennifer Scragg Karr (by permission)

Jennifer Scragg Karr (WV Bar # 8051)

*Assistant Prosecuting Attorney*

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*Defendants.*

**CERTIFICATE OF SERVICE**

I hereby certify that, on this 18<sup>th</sup> day of April, 2023, I electronically filed the foregoing  
“Defendants’ Motion for Stay” with the Clerk of Court and all parties using the CM/ECF System.

/s/ Curtis R. A. Capehart  
Curtis R. A. Capehart  
*Deputy Attorney General*